



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

DANIEL MARC LOFARO

Defendant.

Case No. 1:23-CR-156

Count 1: 18 U.S.C. §§ 2252(a)(2) and (b)(1)
Distribution of Child Pornography

Count 2: 18 U.S.C. §§ 2252(a)(2) and (b)(1)
Receipt of Child Pornography

Count 3: 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2)
Possession of Child Pornography

Forfeiture Notice: 18 U.S.C. § 2253(a)

INDICTMENT

October 2023 Term—at Alexandria, Virginia

COUNT ONE
(Distribution of Child Pornography)

THE GRAND JURY CHARGES THAT:

From at least August 2021, through at least February 2022, in Fairfax County, Virginia, within the Eastern District of Virginia and elsewhere, the defendant, DANIEL MARC LOFARO, did knowingly distribute and attempt to distribute a visual depiction using a means and facility of interstate and foreign commerce, and which visual depiction had been transported in and affecting interstate and foreign commerce, by any means including by computer, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction was of such conduct.

(All in violation of Title 18, U.S. Code, Sections 2252(a)(2) and (b)(1).)

COUNT TWO
(Receipt of Child Pornography)

THE GRAND JURY FURTHER CHARGES THAT:

From at least August 2021, through at least February 2022, in Fairfax County, Virginia, within the Eastern District of Virginia, the defendant, DANIEL MARC LOFARO, did knowingly receive and attempt to receive a visual depiction using any means and facility of interstate and foreign commerce, and which visual depiction had been transported in and affecting interstate and foreign commerce, by any means including by computer, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction was of such conduct.

(All in violation of Title 18, U.S. Code, Sections 2252(a)(2) and (b)(1).)

COUNT THREE
(Possession of Child Pornography)

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 18, 2022, in Fairfax County, Virginia, within the Eastern District of Virginia, the defendant, DANIEL MARC LOFARO, did knowingly possess and attempt to possess at least one matter containing a visual depiction that had been transported using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and which visual depiction was produced using materials which had been mailed and so shipped and transported, by any means including by computer; and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct and such visual depiction was of such conduct, to wit: sexually explicit videos and images of minors stored on a MacBook Pro laptop computer (SN C02VJ1RNG8WL) and a MacBook Air laptop (SN C02JC1B3DRV9).

It is further alleged that at least one visual depiction involved in the offense involved a prepubescent minor and a minor who had not attained 12 years of age engaging in sexually explicit conduct.

(All in violation of Title 18, U.S. Code, Sections 2252(a)(4)(B) and (b)(2).)

FORFEITURE NOTICE

THE GRAND JURY FURTHER FINDS THAT:

The defendant, DANIEL MARC LOFARO, is hereby notified, pursuant to Federal Rule of Criminal Procedure 32.2(a), that upon conviction on any Count of this Indictment, he shall forfeit to the United States: (1) any visual depiction described in 18 U.S.C. §§ 2251, 2251A, 2252, 2252A, 2252B, or 2260, and any matter that contains any such visual depiction, which was produced, transported, mailed, shipped, and received in violation of this chapter; (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and (3) any property, real or personal, used or intended to be used to commit or to promote the commission of the offense, and any property traceable to such property. This property includes, but is not limited to:

- 1) MacBook Pro laptop (SN C02VJ1RNG8WL)
- 2) iPhone 12 mini (SN C7CDP1VT0GRQ)
- 3) MacBook Air laptop (SN C02JC1B3DRV9)

(Continued on next page.)

If any property subject to forfeiture is unavailable, the United States may seek an order forfeiting substitute assets pursuant to Title 21, U.S. Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).

(All in accordance with Title 18, United States Code, Section 2253;
Title 21, United States Code, Section 853(p); and Fed. R. Crim. P. 32.2.)

A TRUE BILL

JESSICA D. ABER
United States Attorney

FOREPERSON

Pursuant to the E-Government Act.,
The original of this page has been filed
under seal in the Clerk's Office

By:



Lauren Halper
Assistant United States Attorney
McKenzie Hightower
Special Assistant United States Attorney (LT)